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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

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9 NORMAN SMITH,

Case No. 3:18-cv-00082-MMD-WGC

10 Petitioner,

ORDER

11 v.

12 RENEE BAKER, et al.,

13 Respondents.

14 Petitioner has filed a request to withdraw petition (ECF No. 8). The Court will  
15 dismiss this action at Petitioner's request. The dismissal will be without prejudice, but this  
16 will not have any effect upon the operation of the one-year limit of 28 U.S.C. § 2244(d).


17 Respondents have filed a motion for enlargement of time (first request) (ECF No.  
18 9). The motion is moot because the Court is dismissing the action.

19 It is therefore ordered that Petitioner's request to withdraw petition (ECF No. 8) is  
20 granted. This action is dismissed without prejudice. The Clerk of the Court is directed to  
21 enter judgment accordingly and close this action.

22 It is further ordered that a certificate of appealability will not issue.

23 It is further ordered that Respondents' motion for enlargement of time (first request)  
24 (ECF No. 9) is denied as moot.

25 DATED THIS 7<sup>th</sup> day of August 2018.

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28 MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE